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SAO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

NORTHERN DISTRIC	OT OF CALIFORNIA	
PERFECT 10, INC.	DILL OF COSTS	
V.	BILL OF COSTS	
VISA INTERNATIONAL SERVICE ASSOCIATION et al	Case Number: Case No. C 04 0371	JW
Judgment having been entered in the above entitled action on the Clerk is requested to tax the following as costs:	Dec. 3, 2004 against PERFE	<u>CT 10, INC.</u> ,
Fees of the Clerk		\$ 0.00
Fees for service of summons and subpoena	•••••	0.00
Fees of the court reporter for all or any part of the transcript necess	sarily obtained for use in the case	0.00
Fees and disbursements for printing		0.00
Fees for witnesses (itemize on reverse side)		0.00
Fees for exemplification and copies of papers necessarily obtained	for use in the case	0.00
Docket fees under 28 U.S.C. 1923		0.00
Costs as shown on Mandate of Court of Appeals		0.00
Compensation of court-appointed experts		0.00
Compensation of interpreters and costs of special interpretation se	rvices under 28 U.S.C. 1828	0.00
Please see Exhibit 1 Other costs (please itemize)		232,554.70
	TOTAL	\$ <u>232,554.70</u>
SPECIAL NOTE: Attach to your bill an itemization and documen	station for requested costs in all categories	
DECLA	RATION	
I declare under penalty of perjury that the foregoing costs are corfor which fees have been charged were actually and necessarily perpendicted to Count by electronic filing. Signature of Attorney: Andrew P. Pridges	rect and were necessarily incurred in this a reformed. A copy of this bill was mailed to the copy of the bill was mailed to the bill w	ction and that the services oday with postage
Name of Attorney: Andrew P. Bridges MasterCard International Incompared		
For: MasterCard International Incorporated Name of Claiming Party	Date: J	December 17, 2004
Costs are taxed in the amount of	and in	cluded in the judgment.
RICHARD W. WIEKING By: Clerk of Court Deput	ry Clerk	Date

WITNESS FEES (con	n putation, cf.	28 U.S.C	. 1821 fo	r statute	ory fees)		
	ATTEN	DANCE	SUBSIS	STENCE	MILI	EAGE	Total Cost
NAME AND RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Each Witness
			:	:			0.00
							0.00
							0.00
·							0.00
·							0.00
							0.00

NOTICE

TOTAL

\$0.00

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, up on allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

Exhibit 1

to

Bill of Costs for MasterCard International Incorporated

MasterCard International Perfect 10 v. VISA et al Itemized Costs by Type

Legal Fees	\$228,056.00
Air Courier Services	\$16.54
Computer Docket System PACER	\$46.13
Computerized Legal Research / LEXIS/WESTLAW	\$3,713.20
Late Night Attorney Meals total	\$49.13
Local Travel Expense total	\$31.25
Messenger Services total	\$275.18
Overtime Transportation total	\$35.00
Postage total	\$1.06
Printing/Reproduction Services total	\$200.60
Secretarial Overtime total	\$278.25
Transcript Fees total	\$51.06
GRAND TOTAL	\$232,554.70

MasterCard International Perfect 10 v. VISA et al Total Legal Time and Fees

Name	Hours	Value
Bridges, Andrew - Wilson Sonsini	35.50	\$19,880.00
Bridges, Andrew - Winston & Strawn	192.70	\$107,912.00
Brophy, Michael	63.70	\$17,836.00
Franko, Eva	109.70	\$23,037.00
Golinveaux, Jennifer	60.00	\$18,000.00
Kramer, David	0.80	\$344.00
Lerner, Jack	12.00	\$3,720.00
Nishi, John	82.80	\$35,105.00
Stevenson, John	10.10	\$2,222.00
Totals	567.30	\$228,056.00

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	Cost Description	Charges
09/22/04	Air Courier Services	\$16.54
	Air Courier Services total	\$16.54
05/04/04	Computer Docket System PACER	\$23.10
05/04/04	Computer Docket System PACER	\$1.75
07/09/04	Computer Docket System PACER	\$0.28
09/27/04	Computer Docket System PACER	\$1.40
10/08/04	Computer Docket System PACER	\$19.60
	Computer Docket System PACER total	\$46.13
03/30/04	Computerized Legal Research / LEXIS/WESTLAW	\$82.16
03/30/04	Computerized Legal Research / LEXIS/WESTLAW	\$165.35
04/02/04	Computerized Legal Research / LEXIS/WESTLAW	\$82.50
04/02/04	Computerized Legal Research / LEXIS/WESTLAW	\$259.39
04/02/04	Computerized Legal Research / LEXIS/WESTLAW	\$12.93
04/04/04	Computerized Legal Research / LEXIS/WESTLAW	\$187.08
04/09/04	Computerized Legal Research / LEXIS/WESTLAW	\$232.67
04/19/04	Computerized Legal Research / LEXIS/WESTLAW	\$451.02
04/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$168.91
04/25/04	Computerized Legal Research / LEXIS/WESTLAW	\$26.00
04/26/04	Computerized Legal Research / LEXIS/WESTLAW	\$431.30
04/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$95.38
05/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$108.79
05/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$7.20
05/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.01
05/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$6.15
05/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.01
05/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$19.22
05/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.04
05/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$16.38
05/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.02
05/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$4.74
05/24/04	Computerized Legal Research / LEXIS/WESTLAW	\$110.18
05/24/04	Computerized Legal Research / LEXIS/WESTLAW	\$7.20
05/24/04	Computerized Legal Research / LEXIS/WESTLAW	\$6.14
05/24/04	Computerized Legal Research / LEXIS/WESTLAW	\$2.41
05/24/04	Computerized Legal Research / LEXIS/WESTLAW	\$55.46
05/25/04	Computerized Legal Research / LEXIS/WESTLAW	\$42.64
05/26/04	Computerized Legal Research / LEXIS/WESTLAW	\$93.99

MasterCard International Perfect 10 v. VISA et al Costs by Type

	Cost Description	Charges
05/27/04	Computerized Legal Research / LEXIS/WESTLAW	\$4.80
05/27/04	Computerized Legal Research / LEXIS/WESTLAW	\$12.28
05/27/04	Computerized Legal Research / LEXIS/WESTLAW	\$1.58
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$451.99
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$2.93
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$4.80
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$2.04
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.01
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$1.59
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$16.38
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.02
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$8.77
05/28/04	Computerized Legal Research / LEXIS/WESTLAW	\$1.58
06/01/04	Computerized Legal Research / LEXIS/WESTLAW	\$27.11
07/07/04	Computerized Legal Research / LEXIS/WESTLAW	\$156.26
07/08/04	Computerized Legal Research / LEXIS/WESTLAW	\$5.96
07/09/04	Computerized Legal Research / LEXIS/WESTLAW	\$4.26
09/14/04	Computerized Legal Research / LEXIS/WESTLAW	\$3.47
09/17/04	Computerized Legal Research / LEXIS/WESTLAW	\$116.15
09/17/04	Computerized Legal Research / LEXIS/WESTLAW	\$72.24
09/20/04	Computerized Legal Research / LEXIS/WESTLAW	\$1.96
09/22/04	Computerized Legal Research / LEXIS/WESTLAW	\$16.41
09/23/04	Computerized Legal Research / LEXIS/WESTLAW	\$11.64
10/12/04	Computerized Legal Research / LEXIS/WESTLAW	\$0.22
10/22/04	Computerized Legal Research / LEXIS/WESTLAW	\$47.50
10/27/04	Computerized Legal Research / LEXIS/WESTLAW	\$7.73
11/12/04	Computerized Legal Research / LEXIS/WESTLAW	\$46.15
11/12/04	Computerized Legal Research / LEXIS/WESTLAW	\$12.10
	Computerized Legal Research / LEXIS/WESTLAW total	\$3,713.20
09/09/04	Late Night Attorney Meals	\$25.00
09/20/04	Late Night Attorney Meals	\$24.13
	Late Night Attorney Meals total	\$49.13
07/09/04	Local Travel Expense	\$31.25
	Local Travel Expense total	\$31.25
09/24/04	Messenger Services	\$171.99
09/27/04	Messenger Services	\$103.19
	Messenger Services total	\$275.18

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	Cost Description	Charges
06/30/04	Overtime Transportation	\$35.00
	Overtime Transportation total	\$35.00
11/02/04	Postage	\$1.06
	Postage total	\$1.06
03/17/04	Printing/Reproduction Services	\$2.40
04/02/04	Printing/Reproduction Services	\$10.20
05/24/04	Printing/Reproduction Services	\$6.10
05/24/04	Printing/Reproduction Services	\$3.90
05/24/04	Printing/Reproduction Services	\$1.40
05/24/04	Printing/Reproduction Services	\$2.10
05/26/04	Printing/Reproduction Services	\$5.50
05/26/04	Printing/Reproduction Services	\$3.70
05/26/04	Printing/Reproduction Services	\$5.80
05/26/04	Printing/Reproduction Services	\$16.50
06/02/04	Printing/Reproduction Services	\$7.60
06/02/04	Printing/Reproduction Services	\$0.30
06/02/04	Printing/Reproduction Services	\$4.90
06/02/04	Printing/Reproduction Services	\$13.50
07/07/04	Printing/Reproduction Services	\$8.60
07/08/04	Printing/Reproduction Services	\$46.40
09/16/04	Printing/Reproduction Services	\$2.20
09/17/04	Printing/Reproduction Services	\$21.20
09/17/04	Printing/Reproduction Services	\$2.90
09/17/04	Printing/Reproduction Services	\$1.50
09/24/04	Printing/Reproduction Services	\$2.40
09/24/04	Printing/Reproduction Services	\$0.80
09/27/04	Printing/Reproduction Services	\$8.10
10/25/04	Printing/Reproduction Services	\$2.30
10/25/04	Printing/Reproduction Services	\$7.40
10/25/04	Printing/Reproduction Services	\$5.20
11/02/04	Printing/Reproduction Services	\$1.90
11/24/04	Printing/Reproduction Services	\$1.60
11/24/04	Printing/Reproduction Services	\$4.20
	Printing/Reproduction Services total	\$200.60
09/13/04	Secretarial Overtime	\$106.00
09/14/04	Secretarial Overtime	\$26.50
09/20/04	Secretarial Overtime	\$66.25

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	Cost Description	Charges
09/24/04	Secretarial Overtime	\$66.25
10/01/04	Secretarial Overtime	\$13.25
	Secretarial Overtime total	\$278.25
07/20/04	Transcript Fees	\$51.06
	Transcript Fees total	\$51.06
	GRAND TOTAL	\$4,498.70